

REMARKS/ARGUMENTS

Examiner had identified 5 species of the claimed invention:

Species 1, shown in Figure 1;

Species 2, shown in Figure 2;

Species 3, shown in Figure 3;

Species 4, shown in Figure 4; and

Species 5, shown in Figure 5.

Applicant provisionally elects Species 1, shown in Figure 1 with traverse. The only difference between Species 2, 3, and 1 is the location of the opening on the elongated tubular housing.

In Species 1, 2, and 3 identified by the examiner, the applicator with piston comprises of an elongated tubular housing with a sealed applicator tip at a first end and a piston disposed near the second end with a liquid or viscous substance disposed between them. An opening means such as a fracture line is provided at the location of the applicator tip which will allow the first end to be removed to expose the applicator tip. The liquid or viscous substance is sealed within the elongated tubular housing and may be extracted through the applicator tip when the piston is urged towards the applicator tip by applying pressure on the elongated tubular housing with the user's finger from the end opposite from the liquid or viscous substance.

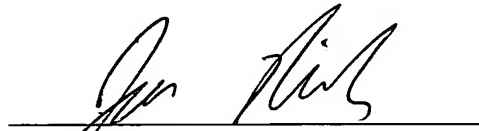
The only additional element in species 4 and 5 is the addition of a compression member, as in figure 4, or an piston member, as in figure 5. The compression member and piston member only facilitates the movement of the piston. Instead of the user using his/her fingers to move the

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piston, the compression member and piston member is used in place of the fingers to push the piston.

Applicant respectfully requests that the restriction requirement be reconsidered and withdrawn and a timely Notice of Allowance be issued in this case.

Respectfully submitted,


A handwritten signature in black ink, appearing to read 'Joe Nieh', is written over a horizontal line.

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